

EXHIBIT 164

REDACTED

Page 1

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

- - -

STATE OF TEXAS et al., : CASE NO.
: 4:20-CV-00957-
Plaintiffs, : SDJ
:
v. :
:
GOGGLE, LLC, :
:
Defendants. :
:

- HIGHLY CONFIDENTIAL -
PURSUANT TO PROTECTIVE ORDER

- - -

May 1, 2024

- - -

Videotaped deposition of [REDACTED],
taken pursuant to notice, was held at the law
offices of Axinn, Veltrop & Harkrider LLP, 114 West
47th Street, New York, New York, beginning at
9:08 a.m., on the above date, before Michelle L.
Gray, a Registered Professional Reporter, Certified
Shorthand Reporter, Certified Realtime Reporter,
Certified Court Reporter and Notary Public.

- - -

[REDACTED]

1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED] [REDACTED]

5 [REDACTED] [REDACTED]

6 [REDACTED] [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED] [REDACTED]

10 [REDACTED] [REDACTED]

11 [REDACTED]

12 [REDACTED] [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED] [REDACTED]

17 [REDACTED]

18 [REDACTED] [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED] [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

1 right now is 2:08 p.m. We're back
2 on the record.

3 BY MR. HANSUM:

4 Q. [REDACTED], before our last break we
5 were discussing, briefly, net bids.

6 And can you explain again for me
7 what a net bid is?

8 A. Net bid is in contrast to original
9 bid advertisers submit. And that is the price
10 after Google's share.

11 Q. So the net bid is the bid price
12 after Google's revenue share?

13 A. Rev -- yes. That's correct.

14 Q. Okay. So if Google's revenue share
15 is -- in the fixed revenue example it's 20 percent.
16 The net bid would be 80 percent of the buyer's
17 original bid; is that right?

18 A. That is correct.

19 Q. Okay. And I believe when you
20 mentioned that earlier, you said net bids -- you
21 gave that definition of net bid with respect to Ad
22 Exchange.

23 Are there other uses of the term
24 "net bid" within Google or DoubleClick for
25 Publishers?

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ERRATA SHEET FOR THE TRANSCRIPT OF:

Case Name: *United States et al. v. Google LLC*, 4:20-cv-00957-SDJ (E.D. Tex.)

Deposition Date: May 1, 2024

Deponent: [REDACTED]

CORRECTIONS

Page	Line	Change	Reason
18	20	"My reason" to "My recent"	Transcription error
24	22	"learning natural languages." to "machine learning and natural languages."	Transcription error
26	24	"measure" to "major"	Transcription error
39	3	"I work with software" to "I was a software"	Transcription error
40	3-4	"this technical issue evolved" to "there's technical issues involved"	Transcription error
54	20	"know the client" to "told the client"	Transcription error
57	4	"Google want to get the" to "Google want to go get the"	Transcription error
57	14-15	"Make the whole ecosystem more efficient." to "Make the whole ecosystem less efficient"	Transcription error
66	3	"I work for" to "I worked for"	Transcription error
68	20	"rules and options. One way to" to "rules and auction is one way to"	Transcription error
73	4	"That's what I" to "That's my"	Transcription error
76	3	"DoubleClick for Publishers." to "DoubleClick for Publishers at some point."	Transcription error
84	12	"resum " to "'resumé"	Typographical error
111	24	"as a prior software" to "as a prior standard software"	Transcription error
114	1	"a language," to "aligned with"	Transcription error
125	20-21	"can have many have causes" to "can have many causes"	Transcription error
143	2	"not familiar" to "unfamiliar"	Transcription error

150	24	"document hands out" to "document handles"	Transcription error
153	9	"best accurate readout" to "best accurate results"	Transcription error
179	8	"the communication, which" to "the communication purpose, which"	Transcription error
180	18	"regardless" to "regarding"	Transcription error
186	13	"define what that bid" to "define what net bid"	Transcription error
191	13	"that it become okay for me" to "a little complicated for me"	Transcription error
193	17	"deals." to "still wins."	Transcription error
195	1	"retail price optimization" to "reserve price optimization"	Transcription error
201	10	"or order of RPO" to "on older RPO"	Transcription error
217	10	"agreed to" to "reasonable to"	Transcription error
228	17	"bid" to "bidding"	Transcription error
229	23	"DRP" to "DFP"	Transcription error
237	16	"our" to "all"	Transcription error
240	14	"what's not" to "was not"	Transcription error
248	25	"draw" to "generate"	Transcription error
249	20	"So I was" to: "So A) I was"	Transcription error
260	8	"net revenue" to "negative revenue"	Transcription error
260	12	"there are other," to "there are other bugs,"	Transcription error
260	17	"reach out in" to "result in"	Transcription error
282	21	"AdX that you're running." to "AdX actually running."	Transcription error
283	7	"have direct number" to "have the right number"	Transcription error
286	24	"did Ad Exchange" to "did on Ad Exchange"	Transcription error
296	20	"in that. He said" to "in that. I think he said"	Transcription error
321	6	"So I can't answer Reading" to "But I can answer Reading"	Transcription error
331	10	"transact." to "transacted."	Transcription error

I have inspected and read my deposition and have listed all changes and corrections above, along with my reasons therefor.

Date: _____

5/31/24

Signature: _____

A black rectangular box redacting the signature.